

## **REMARKS**

### **Section 112 Rejection**

In the Office Action mailed August 21, 2007, the Examiner rejected claims 1-21 under 35 USC 112 as indefinite based on an assertion that it is unclear whether the barrier layer is required in the final structure of the composite. More particularly, the Examiner indicated that claims 6, 8 and 11 recited a barrier film layer that is removed.

Applicant has amended claims 6 and 11 to eliminate reference to removal of the barrier film layer, and has cancelled claim 8. Applicant respectfully submits that the Section 112 rejection is thereby traversed.

For clarity, Applicant has also amended claim 1 to eliminate reference to cross-linking of phase change materials into a carrier material that is not microencapsulated.

### **Prior Art Rejections**

The Examiner rejected claims 1-21 under either 35 USC 102 or 103 as being unpatentable over Worley alone or in combination with Buckley.

Applicant has amended independent claim 1, on which claims 2-21 depend, to recite that at least one layer of the composite barrier fabric is an impermeable barrier layer. This amendment has support in Applicant's specification at, for example, page 9.

Worley fails to disclose or teach an impermeable barrier layer. As shown in FIGURES 2 and 4 of Worley, the coating 104, 304 is applied to the substrate 102, 302 in a manner that does not create an impermeable barrier layer. Indeed, in the Background of the Invention, Worley is critical of impermeable coatings. Worley indicates, for example, that "[a] continuously coated fabric tends to be stiff and 'boardy', and the relatively impermeable nature of the continuous coating may substantially diminish the ability of the continuously coated fabric to transport air or water vapor."

In contrast, in order to provide its protective function against the permeation of hazardous liquids, dusts and gases a non-woven protective garment needs to be impermeable and to be equipped with at least one impermeable barrier layer. The proposed application discloses the containment of finely divided phase change material in such an impermeable barrier layer.

Moreover, Applicant submits that Worley fails to disclose or teach a composite barrier fabric comprising several layers.

The claims as amended are now believed to be in condition for allowance and early action to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, reading "Barbara Pause", is written over a horizontal line.

Barbara Pause